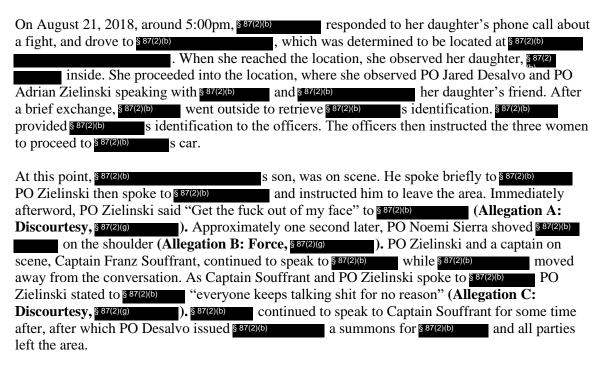
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	Ø	Force	☑ Disc	court.	U.S.
Zachary Herman		Squad #11	201806934		Abuse	O.L.		☐ Injury
Incident Date(s)		Location of Incident:		P	recinct:	18 Mo. S	SOL	EO SOL
Tuesday, 08/21/2018 5:30 PM		§ 87(2)(b)	I		67	2/21/20	020	2/21/2020
Date/Time CV Reported		CV Reported At:	How CV Reported:		Date/Time	Received a	at CCR	В
Wed, 08/22/2018 11:54 AM		CCRB	On-line website		Wed, 08/22/2018 11:54 AM			[
Complainant/Victim	Type	Home Addre	ess					
Witness(es)		Home Addre	ess					_
Subject Officer(s)	Shield	TaxID	Command					
1. POF Noemi Sierra	24058	951255	078 PCT					
2. POM Adrian Zielinski	20521	959408	067 PCT					
Witness Officer(s)	Shield No	o Tax No	Cmd Name					
1. CPT Frantz Souffrant	00000	939510	078 PCT					
2. POM Jared Desalvo	1870	958494	067 PCT					
Officer(s)	Allegatio	n			Inve	stigator I	Recom	mendation
A.POM Adrian Zielinski		esy: Police Officer Adria ously to § 87(2)(b)	an Zielinski spoke					
B.POF Noemi Sierra	Force: Poagainst § 8	olice Officer Noemi Sier (2)(2)(b)	та used physical for	ce				
C.POM Adrian Zielinski	Discourte discourte	esy: Police Officer Adria ously to §87(2)(b)	an Zielinski spoke					

Case Summary

On August 22, 2018, \$87(2)(b) filed this complaint with the CCRB online.



Body worn camera footage from PO Desalvo's body worn camera captured the allegations pled in this case. The footage obtained in this case provided the basis to proceed with the investigation.

Findings and Recommendations

Allegation (A) Discourtesy: Police Officer Adrian Zielinski spoke discourteously to S87(2)(5)

Allegation (C) Discourtesy: Police Officer Adrian Zielinski spoke discourteously to S87(2)(5)

Neither civilian provided unverified statement included allegations of discourtesy directed toward No civilian provided a sworn statement in this investigation.

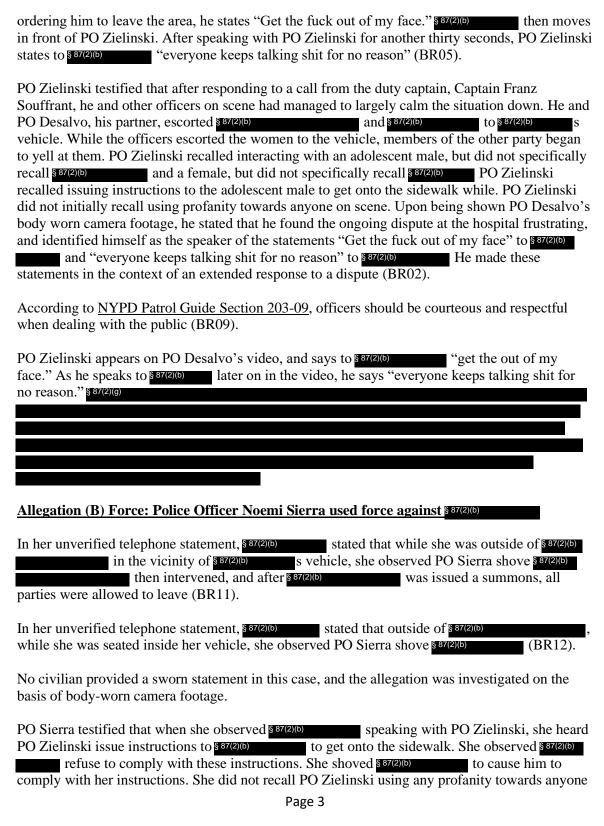
Body-worn camera footage obtained in this case led to the allegations being pled and investigated.



201806934 20181126 1200 DM.mp4

A section of video extracted from PO Desalvo's activation of his body worn camera captures the entirety of the allegations in this case. The video section is approximately one minute long, in color, and is in full audio. PO Zielinski can be seen walking towards [\$167(2)(5)] After

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on scene. She did not recall any additional information upon being shown PO Zielinski's bodyworn camera footage (BR03).

PO Zielinski did not recall PO Sierra using force against and did not provide any additional contextual information upon being shown PO Desalvo's body-worn camera footage (BR02).

PO Desalvo testified that he did not recall any adolescent males on scene. He did not recall PO Zielinski using profanity towards anyone on scene, and did not recall PO Sierra using force towards anyone scene. He stated that during the portion of the incident when these events occurred, he was writing a summons to [587(2)(5)] Upon being shown his body-worn camera footage, he did not provide any additional details (BR04).



201806934_20181126_1200_DM.mp4

A section of video extracted from PO Desalvo's activation of his body worn camera captures the entirety of the allegations in this case. The video section is approximately one minute long, in color, and is in full audio. PO Zielinski can be seen walking towards \$87(2)(5) After ordering him to leave the area, he states "Get the fuck out of my face." Approximately one second later, PO Sierra shoves \$87(2)(5) on his shoulder, causing him to move two to three feet backward (BR05).

According to NYPD Patrol Guide Section 221-02, officers should "utilize de-escalation techniques when appropriate and consistent with personal safety, which may reduce or eliminate the need to use force (BR10)."

PO Sierra shoves § 87(2)(b)	on the left shoulder immedia	tely after PO Zielinski'	s statement
PO Zielinski was the officer p	orimarily engaged with § 87(2)(b)	§ 87(2)(g)	

Allegations not pled: Abuse of Authority

On September 6, 2018, \$87(2)(6) provided an unverified telephone statement to the CCRB, in which she raised a vehicle search allegation. No other civilian statement corroborated this claim, and no verified civilian statement was provided for this claim. Additionally, video evidence recovered from the scene did not capture this allegation. Therefore, the allegation of a vehicle search is not being pled.

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§ 87(2)(g)			
			(BR16).
	<u>Civilia</u>	an and Officer CCRB Histories	(21110).
•	•	ated with § 87(2)(b) with the CCRB(B	R15).
	Mediation	a, Civil and Criminal Histories	
•	civilians provided phone statemed A FOIL request for any notices of New York City Office of the Cocase file upon their receipt. S87(2)(b) has not been conviction. New York State Office of Court	of claim filed regarding this case was sub- imptroller. The results of this search will be acted of any crimes in New York City according Administration (BR14) anvicted of any crimes in New York City a	mitted to the se added to the ording to the
•	§ 87(2)(b)		
		(B	R06).
Squad N	Io.: 11		
Investig	ator:Signature	Investigator Zachary Herman Print Title & Name	Date
			
Squad L	eader:Signature	Print Title & Name	 Date

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Reviewer:			
	Signature	Print Title & Name	Date

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